

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANTHONY SEAY,

Plaintiff,

vs.

Case No. 12-CV-14410
HON. GEORGE CARAM STEEH

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

ORDER ACCEPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION (DOC. #17) GRANTING IN PART PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT (DOC. # 12), DENYING DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT (DOC. # 15), AND REMANDING ACTION

Before the court are the parties' cross-motions for summary judgment, which were referred to the magistrate judge for a report and recommendation. On September 18, 2013, Magistrate Judge David Grand issued his report, recommending that the court grant in part the plaintiff's motion for summary judgment, deny the defendant's motion for summary judgment, and remand the matter for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g).

The magistrate judge specifically stated that any objections to his report were to be filed within 14 days of service, and that failure to file such objections constituted a waiver of any further right of appeal. See Thomas v. Arn, 474 U.S. 140, 155 (1985). No such objections were filed by either party.

The court has reviewed the record and briefing in this matter, as well as the magistrate judge's report and recommendation. Finding that report and recommendation

to be well-reasoned, the court hereby adopts the result recommended therein. Accordingly, plaintiff's motion for summary judgment is hereby **GRANTED IN PART**, to the extent it seeks remand, but denied to the extent it seeks outright reversal and an award of benefits. Defendant's motion for summary judgment is **DENIED**, and this cause of action is **REVERSED and REMANDED** to the Commissioner of Social Security for further consideration as stated in the report and recommendation.

IT IS SO ORDERED.

Dated: October 28, 2013

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 28, 2013, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk